

IN regard by the Devilish Craft of the Jesuitical Party they have and can at their pleasure, with well-hired and instructed Evidence make what they please Treason, or at least by their Glosses put upon Facts, cast such a Mist before Mens Eyes and understandings; that it shall seem to be so, when it's nothing less. Therefore it's more then high time to undeceive all true and loyal Protestants by giving them a true Epitomy of Treason, which they may with cheapness purchase, without trouble carry about them, readily understand, and easily remember; so as it may be useful to them upon all occasions relating to that Subject: and to that end, was this following Epitomy or Abstract made and taken out of Authentique Authors, and of the Laws now in force, which declare what High-Treason is.

In that excellent Book, Stiled *The Pleas of the Crown*, Licensed in November 1677. by the late Lord-Chief-Justice, Sir Richard Rainsford, but written by that Steady, Judicious and Learned Lord-Chief-Justice, Sir Matthew Hale, under the Title of High-Treason; He saith it's distinguished into four kinds as,

1. That which concerns the King, his Wife, or Children.
2. That which concerns his Office in the Administration of Justice.
3. That which concerns his Seal. and,
4. That which concerns his Coyn.

Of which the first is that only concerned to be spoken to. in Reference to the Subject matter hereby intended to be Treated on, and as to that, the most pertinent Matters that Author further mentions, in Relation, or applicable hereunto are,

That the Compassing and imagining the Death of the King, Queen, or Prince, and declaring the same by some open Deed, is High-Treason.

Declaring by an open Act, a Design to Depose or imprison the King is an Overt Act, to manifest the compassing of his Death; grounded upon the Opinion of that famous Author, sometime Lord-Chief-Justice Coke in his *3d Institutes*, p. 6. 12. and 38.

The Queen must be the Kings Wife, not Queen Dowager, (and the Fact not by way of Legal Charge against her) the Prince must be he that is actually so, and not the Collateral Heir, as was adjudged in the Cases of *Roger Mortimer*, 11. *Rich.* 2. and the Duke of York 39. *H.* 6.

An Overt Act must be alledged in every Indictment for Treason, and proved as in the same Institutes and the same 12 page.

Compassing by bare words was not an Overt Act, but set down in writing was heretofore, as appears by the Statutes 1 *Eliz.* cap. 6. and 13. *Eliz.* cap. 1. but how far it is now will more fully appear to the judicious Reader by the following Abstract of the Statute of the 13 of his now Majesty, c. 1. Conspiring the Death of the King and providing Weapons to effect it, or sending Letters to second it; Assembling People to take the King into their power, writing Letters to a Forraign King to invade, are Overt Acts, but to conspire to levy War is no Overt Act, unless levied as in the same Institutes pag. 14. Nor is it Treason unless a War *de facto*, as in the following Abstract of the same Statute of the 13th of his now Majesty cap. 1. fully appears.

And those the said Author of the said Book called *The Pleas of the Crown*, saith in Fol. 16. It must be made appear by manifest proof, and not by Conjectures, and saith, that these were Treasons by 25. *Ed.* 3. and that all other Acts of Parliament that declared any Fact to be Treason, between that and 1. *Ma.* were abrogated and reduced to the Standard of the said 25. *Ed.* 3.

But since that, as the same Author saith, divers other Acts of Parliament have been made, by which several other Facts are made High-Treason, as the refusing the Oath of Supremacy upon a second Tender, This is Treason, but without Corruption of Blood so made by 5 *El.* c. 1.

The extolling the Power of the Bishop of Rome a Premunire; But bringing in Bulls, or putting them in Execution, or reconciling themselves or others to the See of Rome (that is for a Protestant to turn Papist) is made Treason by the said 5 *El.* c. 1.

The bringing in *Agnus Dei's* is a Premunire ; But the absolving the Kings Subjects from Obedience to him, or reconciling them to the Obedience of *Rome* is made Treason by 27 *Eliz. cap. 1.*

The coming of a Popish Priest into *England*, and not submitting himself in two days, is also, made Treason, by 27 *Eliz. ca. 2.*

The remaining of any *English* Man, in any Popish Seminary, above six Months, after Proclamation for his Return, shall not submit himself to the Bishop, and take the Oath of Supremacy, and shall after, and otherwise return, is also made Treason, by the last mentioned Act.

But by the said Statute, made in the 13 year of his now Majesties Reign, *ca. 1.* It is Enacted, That if any one after the 24 of *June* 1661, and during his Majesties Life, shall within the Realm or without

Compass,	}	Death, or Destruction, or Bodily harm, tending to it. Maim or Wounding, Imprisonment, or Restraint of his Person.
Imagine,		
Invent,		
Devise, or		
Intend,		

Or, to Deprive, or Depose him from the,

Style,	}	Of the Imperial Crown of this Realm, &c.
Honour, or		
Kingly Name,		

Or, to levy War against him,

Within, or	}	The Realm.
Without		

Or, to move or stir any

Forreigner, or	}	With Force to invade this Realm, &c.
Stranger,		

And such Compassings, &c. or any of them shall express, utter or declare, by any,

Printing,	}	Being Legally convicted thereof, upon the Oaths of two Lawful and Credible Wit- nesses, or otherwise attainted by due course of Law, shall suffer as Traitors.
Writing,		
Preaching,		
Malicious, and		
advised Speaking		

But if any one shall within that time, maliciously and advisedly,

Publish, or	}	The King to be	}	<i>An Heretick, or a Papist, or, that he Endeavors to introduce Popery.</i>
Affirm				

Or, shall Maliciously, and advisedly by,

Writing,	}	utter or declare	}	<i>Words, Sentences, or other things,</i>	to incite, or stir up the people,
Printing,					
Preaching, or					
other speaking,					

To hatred or dislike of

<i>His Majesties person or the established Government</i>	}	and being thereof Lawfully Convicted,

Shall be incapable of bearing Office in Church or State, and lyable to such further punishment, as by the Common or Statute Laws, may be inflicted in such Cases.

None to be presented for any the said offences, (not Treason) unless by his Majesties order, under his sign Manual, or order of the Council Table, directed to the Attorney General.

None by Vertue of that Act, to incur any the said Penalties, unless prosecuted within 6 Months after the offence, and Indicted within 3 Months after the prosecution.

None shall be indicted, &c. for any the Treasons or Offences abovesaid, unless accused by the Depositions of two lawful and credible Witnesses upon Oath, Face to Face, unless the Offender shall willingly confess the Offence.

These last 3 Paragraphs, are abstracted out of several Provisoos, contained in that Act, but as to the second of them Opinions are various, That is to say, Whether the times extends to Offences made Treason as well as others? which cannot satisfactorily be determined, but must be left to every judicious Reader to give it his own Construction for the Composer hereof intended not hereby any other than Information of Fact, where there is not a printed Authentick Authority to warrant, and therein, if his Endeavors may be truly Serviceable and Acceptable, its a Reward to him.

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